

**U.S. DEPARTMENT OF COMMERCE  
CHARTER OF THE  
ADVISORY COUNCIL ON TRADE ENFORCEMENT AND COMPLIANCE**

1. **Committee's Official Designation (Title).** Advisory Council on Trade Enforcement and Compliance.
2. **Authority.** The Secretary of Commerce (Secretary) establishes the Advisory Council on Trade Enforcement and Compliance (ACTEC), pursuant to duties imposed by 15 U.S.C. 1512; the Tariff Act of 1930, as amended, 19 U.S.C. 1671 et seq.; and Reorganization Plan No. 3 of 1979, 19 U.S.C. 2171 note, upon the Department of Commerce, in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App., as amended.
3. **Objectives and Scope of Activities.** The ACTEC shall advise the Secretary on matters relating to the Department's statutory missions to enforce U.S. trade remedy laws and seek foreign government compliance with trade agreements as directed by the Secretary to ensure focus on trade enforcement actions.
4. **Description of Duties.** The ACTEC functions solely as an advisory committee in accordance with the provisions of FACA, as amended, 5 U.S.C. App.

The ACTEC shall advise the Secretary on laws and government policies that deal with trade enforcement; identify and recommend programs, policies, and actions to help the United States ensure that U.S. trading partners comply with their trade agreement commitments; and recommend ways that U.S. government enforcement and compliance activities can better support a strong trade and manufacturing agenda and advance the commercial competitiveness of U.S. firms and workers.

The ACTEC shall act as a liaison with the various stakeholders represented by the membership, and shall provide a forum to evaluate the current and emerging trade enforcement and compliance concerns of its stakeholders.

The ACTEC shall report to the Secretary on its activities and recommendations regarding trade enforcement and compliance. In creating its reports, the ACTEC should survey and evaluate the trade enforcement and compliance concerns of its stakeholders, should identify and examine specific trade problems that need U.S. government attention, and should examine the needs in this area to inform the ACTEC's efforts. The ACTEC should recommend specific solutions to the problems and needs it identifies.

5. **Agency or Official to Whom the Committee Reports.** The ACTEC shall report to the Secretary through the Under Secretary for International Trade and the Assistant Secretary for Enforcement and Compliance.

6. **Support.** The International Trade Administration of the Department of Commerce shall provide administrative and staff services, support, and facilities for the ACTEC.
7. **Estimated Annual Operating Costs and Staff Years.** The estimated annual operating cost of the ACTEC is \$107,000.00, which includes 0.8 full-time equivalents of staff support. Members of the ACTEC will not be compensated for their services or reimbursed for their travel expenses.
8. **Designated Federal Officer.** The Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, shall serve as the Executive Director of the ACTEC. The Executive Director shall designate both the Designated Federal Officer (DFO) and an Alternate DFO from among the full-time or part-time permanent employees appointed in accordance with Agency procedures of the International Trade Administration's (ITA) Enforcement and Compliance unit. The DFO or Alternate DFO shall approve or call all of the ACTEC's meetings and, when applicable, any ACTEC subcommittee meetings; prepare and approve all meeting agendas; attend all ACTEC and subcommittee meetings; adjourn any meeting when the DFO determines adjournment to be in the public interest; and chair meetings when directed to do so by the Secretary. The DFO will also serve as the Executive Secretary of the ACTEC.
9. **Estimated Number and Frequency of Meetings.** The ACTEC shall, to the extent practicable, meet a minimum of two times a year. Additional meetings may be called at the discretion of the Secretary or the Secretary's designee. The meetings will take place in Washington, D.C. or elsewhere in the United States, or be held via teleconference. Members are expected to attend a majority of the ACTEC's meetings during the charter term.
10. **Duration.** Continuing.
11. **Termination.** This charter will terminate two years from the date of its filing with the appropriate U.S. Senate and House of Representatives oversight committees unless earlier terminated or renewed in accordance with Section 14 of FACA.
12. **Membership and Designation.** The ACTEC shall consist of no more than 20 members appointed by the Secretary. Members shall represent U.S. entities involved in and significantly affected by imports and/or those that heavily export to, or operate in, countries with which the United States has trade agreements.


All members must be U.S. Nationals. Members shall be selected based on their ability to carry out the objectives of the ACTEC, in accordance with applicable Department of Commerce guidelines, in a manner that ensures the ACTEC is balanced in terms of points of view, demographics, industry sector, geography of both production infrastructure and product inputs, and company size. Members shall also represent a broad range of products and services and shall be drawn from large, medium, and small enterprises, private sector organizations, and other entities, such as, non-governmental organizations, associations, and economic development organizations.

Members shall serve in a representative capacity, representing the views and interests of their sponsoring entities and those of their particular industrial and regional sector (as applicable); they are, therefore, not Special Government Employees.

Each member shall be appointed for a term of two years and will serve at the pleasure of the Secretary. The Secretary may at his/her discretion reappoint any member to an additional term or terms, provided the member proves to work effectively on the ACTEC and the member's knowledge and advice is still needed.

The Secretary shall designate a Chair and Vice Chair from among the members.

13. **Subcommittees.** The Executive Director may establish subcommittees from among the ACTEC members, in order to perform specific functions within the jurisdiction of the ACTEC, subject to the provisions of the FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees must report back to the parent committee and do not provide advice or work product directly to the Secretary.
14. **Recordkeeping.** The records of the ACTEC, formally and informally established subcommittees, or other subgroups of the ACTEC, shall be handled in accordance with the General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. ITA's Office of Advisory Committees and Industry Outreach shall maintain all files mandated by the FACA and the Department of Commerce's policies on advisory committee management.

  
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Chief Financial Officer and  
Assistant Secretary for Administration

  
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Filing Date